

7:40 P.M. Interview with new appointee

CITY OF LEOMINSTER

CITY COUNCIL

NOVEMBER 13, 2007

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

- 27-08 John M. Dombrowski, James Lanciani. Jr., Virginia A. Tocci, Robert Salvatelli, Richard Marchand, David Rowlands, and Wayne Nickel: Amend Section 22-4 of the Leominster Zoning Ordinance to add the following definition. "Athletic Training Facility: an indoor and/or outdoor facility for training, practicing, competition, demonstrations, and games by individuals and/or teams involved in athletics, cheerleading, and/or dance activities and any accessory uses related thereto "Also amend Section 22-26 (Table of Uses) as follows:

Uses	RRA	RAA	RB	RC	BA	BB	C	I
Athletic Training Facility	SPPB	SPPB	SPPB	N	N	SPPB	SPPB	SPPB
(Legal Affairs)								

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

- 28-08 Carl Piermarini, Leominster Telecommunication Corp. for Gateway Business Center: Grant a Special Permit to use a portion of a building located in an Industrial Zone at 435 Lancaster Street and shown on Assessors Map 443 as lot 1 for a television broadcasting studio. (Legal Affairs)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

Convene to enter into Executive Session

REGULAR MEETING OF THE CITY COUNCIL, continued**COMMUNICATIONS**

- C-49 Relative to the appropriation of \$2,000.00 to the Sanitation and Drainage Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-50 Relative to the appropriation of \$8,500.00 to the Doyle Field Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-51 Relative to the appropriation of \$2,250.00 to the Highway Regular Labor Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-52 Relative to the appropriation of \$15,000.00 to the Weights and Measures Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-53 Relative to the appropriation of \$54,526.00 to the FY 2008 Worker's Compensation Trust Fund Account; same to be transferred from the FY 2006 Worker's Compensation Trust Fund Account. (Finance)
- C-54 Relative to the appropriation of \$2,900.00 to the Personnel Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-55 Relative to the appropriation of \$135,000.00 to the OPEB Contribution Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-56 Relative to the appropriation of \$90,000.00 to the OPEB Contribution Expense Account; same to be raised by Fiscal Year 2008 Revenue. (Finance)
- C-57 Relative to the appropriation of \$1,500.00 to the Mayor's Office Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-58 Relative to the appropriation of \$40,000.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

REGULAR MEETING OF THE CITY COUNCIL, continued

COMMUNICATIONS, continued

- C-59 Relative to the reduction of \$100,000.00 to the FY2008 Water Department Budget from the budget accounts listed below:
- | | |
|---|--------------|
| Water Resource Assessment Expenses | \$ 20,000.00 |
| Water Department Capital Outlay Expense | 65,000.00 |
| Water Department Expenses | 15,000.00 |
- (Finance)
-
- C-60 Relative to the appropriation of \$39,500.00 to the C.D.B.G. Housing Rehabilitation Construction Expense Account; same to be transferred from the following:
- | | |
|---------------------------------------|------------|
| Administration Expense | \$9,500.00 |
| Code Enforcement Expense | 8,000.00 |
| Economic Development Expense | 15,000.00 |
| Housing Rehabilitation Salary & Wages | 7,000.00 |
- (Ways & Means)

PETITIONS

- 40-08 Peter Kinsley, Schirmer Engineering Corp. for Leominster Properties, LLC: Request a license for the keeping, storing and sale of inflammable liquids at 250 New Lancaster Road. (Legal Affairs)
- 41-08 Frank Montolio: Amend Chapter 21, Sections 13 (b) and 13 (h) of the Revised Ordinances entitles "Regulations For Water Use" to eliminate the responsibility for those who use City water to own, maintain, repair or replace, and pay for the cost of the service pipe, stopcock valve and any other fixtures that do not lie within the premises of the person using the water. (Legal Affairs)
- 42-08 Claire Freda: Designate two handicap parking spaces on Lancaster Street in front of St. Anna Rectory at pole #28 and St. Anna School at pole #29. (Legal Affairs)
- 43-08 Richard M. Marchand: Close off and secure Park Street to the West Street intersection and from lower West Street to School Street to accommodate the 15th Annual Johnny Appleseed Arts and Cultural Festival on Saturday, September 13, 2008, from 6:00 A.M. to 7:00 P.M. (Rain date September 20, 2008) and allow the use of the City Hall Parking lot and Monument Square Park. (Public Safety & City Property)

REGULAR MEETING OF THE CITY COUNCIL, continued

PETITIONS, continued

- 44-08 Richard M. Marchand: Allow the use of the John Tata Auditorium on Saturday, September 13, 2008 from 6:30 P.M. to 10:30 P.M. to host the 2nd annual Johnny Appleseed Arts & Cultural Festival Musical Celebration. (City Property)

APPOINTMENTS

Leominster Police Department –Police Officer, Lateral Transfer – Michael Hoag-Wing

Leominster Police Department - Sergeant - Andrew J. Dupuis

Leominster Police Department - Lieutenant - Michael D. Goldman

Emergency Management – Carmelo Sanabria and Robert J. Ellis

MATTERS BEFORE THE CITY COUNCIL

FINANCE

- C-33 Relative to determining the factor to be used in setting the Fiscal Year 2008 tax rate. (Hearing scheduled for November 26, 2007 at 6:30 p.m.)
- C-43 Relative to the appropriation of \$4,200.00 to the Recreation Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-44 Relative to the appropriation of \$300,000.00 to the Debt Service Interest Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-45 Relative to the appropriation of \$3,000.00 to the Recreation Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-46 Relative to the appropriation of \$1,800.00 to the Emergency Management Expense Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-47 Relative to the appropriation of \$20,000.00 to the Conservation Commission Salary and Wages Account; same to be transferred from the Emergency Reserve Account.
- C-48 Relative to the appropriation of \$11,185.00 to the Department of Public Works Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

PUBLIC SERVICE

- 25-08 David Fedeli: Expand my water usage from Leominster at the Tri-Town Drive In Theater on Youngs Road.

LEGAL AFFAIRS

- 27-08 John M. Dombrowski, James Lanciani, Jr., Virginia A. Tocci, Robert Salvatelli, Richard Marchand, David Rowlands, and Wayne Nickel: Amend Section 22-4 of the Leominster Zoning Ordinance to add the following definition. "Athletic Training Facility: an indoor and/or outdoor facility for training, practicing, competition, demonstrations, and games by individuals and/or teams involved in athletics, cheerleading, and/or dance activities and any accessory uses related thereto" Also amend Section 22-26 (Table of Uses) as follows:

Uses	RRA	RAA	RB	RC	BA	BB	C	I
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- 28-09 Carl Piermarini, Leominster Telecommunication Corp. for Gateway Business Center: Grant a Special Permit to use a portion of a building located in an Industrial Zone at 435 Lancaster Street and shown on Assessors Map 443 as lot 1 for a television broadcasting studio.
- 29-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 70-90 Lanides Lane located within the floodplain and shown on Assessor's Map 229 as lot 1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Hearing scheduled November 26, 2007 at 7:00 P.M.)

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS, continued

- 30-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 162 Hamilton Street located within the floodplain and shown on Assessor's Map 238, as lot 1-1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. . (Hearing scheduled November 26, 2007 at 7:15 P.M.)
- 31-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit to construct a 6,000 square foot office and professional building with associated site improvements at 156 Hamilton Street shown on Assessor's Map 238 as lots 1-2 located within the floodplain. . (Hearing scheduled November 26, 2007 at 7:30 P.M.)

PUBLIC SAFETY AND WAYS & MEANS

- C-42 Mayor Dean Mazzearella: Request adoption of a resolution to support all steps necessary to build a new or renovated police facility.
(Complete Resolution under Old Business)

CITY PROPERTY

- 32-08 John M. Dombrowski et al.: Request the Mayor engage a private consultant to conduct a feasibility study to determine the costs, benefits and detriments of building a new police station at the Jungle Road property owned by the City of Leominster vs. remodeling the Gallagher Building on Church street to serve as a new or additional police facility vs. entering into a long term lease with an option to renew at a facility constructed by a private developer at Orchard Hill Park Drive.
- 38-08 Leominster Properties, LLC: Accept a parcel of land located at the southerly end of Lancaster Street, shown on a plan entitled "Plan of Land in Leominster, MA, prepared for Leominster Properties LLC", as lot 2 for a municipal sewage pumping station.
- 34-08 John M. Dombrowski et al.: Request that the City Council require as a condition to any amounts appropriated by the City Council, an "Appropriation Expenditure Summary" form be completed by the appropriate City Department Head and submitted to the City Council.

MATTERS BEFORE THE CITY COUNCIL, continued

WAYS & MEANS

- 39-08 Stephen J. Mullaney: Adopt comprehensive, reasonably definite and carefully drafted rules of procedure for the proper sequence and methods of interaction by petitioners to the City Council with members of the City Council, with other city officials and with interested parties, effective prior to and during the processing of petitions to the City Council of any kind, so that petitioners may know in advance what is or may be required of them.

APPOINTMENTS

Leominster Cultural Council- David H. Laverdiere – Term to expire April 15, 2008 (To fill the unexpired term of Donna Chalifoux)

Emergency Management-Claire M. Babineau, Laurie J. Babineau, Jeff D. Richard, Daniel D. Shertzer

OLD BUSINESS

President's Drinking Water Oversight Committee

RESOLUTION

- Whereas: the City of Leominster has conducted a space needs study to determine future space needs for the city's police department;
- Whereas: the City of Leominster has investigated and researched renovating and expanding the current facility including demolishing the existing parking garage and purchasing abutting properties;
- Whereas: The City of Leominster has made it a priority to keep the new police facility assessable to all citizens and to locate the facility as close to the city's downtown as possible and, the downtown businesses have realized a tremendous financial benefit by such public facilities as the court, library, city hall, fire department and the existing police facility;
- Whereas: the City has examined dozens of locations throughout the city but many of the sites were not satisfactory to police officials or were located within a floodplain;

MATTERS BEFORE THE CITY COUNCIL, continued

OLD BUSINESS, continued

- Whereas: the process is now focused on the possibility of using the former May A. Gallagher Junior High School. This former school building can meet the needs of a police facility and can be physically supported in that building which has more than enough space, is centrally located to all sectors of the city and the downtown area;
- Whereas: the City of Leominster has examined the possibility of constructing a new parking garage in the rear of Merriam Ave currently leased to the city for parking;
- Whereas: the construction or renovation of a police facility would need to be built using all local tax dollars and would receive no state or federal assistance;
- Whereas: construction of a new or renovated police facility requires many procedural steps, some which require votes by the legislative body of the City of Leominster which include the following: A. funding for design work; B. a vote to authorize the mayor and treasurer to borrow the necessary funds to construct the project; C. a vote to raise the necessary funding to pay for the project; and D. confirm the names of those appointed by the mayor to build such project;
- Whereas: each of the four necessary actions for building a project come at different times and, in some cases years apart, where taxpayer's dollars and hundreds of hours of human resources will be spent on such a project; and
- We: the City Council, resolve to support all steps necessary to build a new or renovated police facility understanding fully that total figures for such a project can only be estimated at the time of this resolution, however estimates range from twelve (12) million to sixteen (16) million and either of the options would require an increase in the tax rate of approximately + or – 5%.

NEW BUSINESS

1st Reading Ordinance – Amend Chapter 13, Section 13-7 of the Revised Ordinances entitled “One-way Streets” by inserting Wilder Avenue, from Central Street in an easterly direction only.

Lynn A. Bouchard
City Clerk
November 8, 2007

11/13/07